



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Public Hearing to Consider Resolution Adopting Engineer's Report, Confirming the Assessments, Overruling Protests and Declaring Assessment Ballot Results and Annexing Territory to a Maintenance Assessment District and Forming Zone 3 and Zone 4 (Millsbridge II Zone 3 and Almond North Zone 4 Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1)

MEETING DATE: May 5, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council conduct a Public Hearing to consider a resolution for the following:

1. Adopting Engineer's Report
2. Confirming the assessments
3. Overruling protests and declaring assessment ballot results
4. Annexing territory to a maintenance assessment district and forming Zone 3 and Zone 4 (Millsbridge II Zone 3 and Almond North Zone 4 Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1)


BACKGROUND INFORMATION: On March 17, 2004, the City Council adopted the following resolutions regarding the formation of the Zone 3, Millsbridge II and Zone 4, Almond North Assessment Districts, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1.

1. Resolution of Preliminary Determination to Annex Territory to the Maintenance Assessment District, to Form a Zone, to Levy an Annual Assessment for Cost Incurred and Preliminary Approval of Engineer's Report.
2. Resolution of Intention to Annex Territory to a Maintenance Assessment District, to Form a Zone, to Levy and Collect an Annual Assessment for Maintenance and Operation of Improvements and for Costs and Expenses and Setting Time and Place of Public Meeting and Public Hearing and Setting Forth Mailed Property Owner Ballot Procedure and Notice.

Developers of the Millsbridge II subdivision and the Almond North subdivision have elected to form assessment districts pursuant to the Landscaping and Lighting Act of 1972 for the purpose of installing and/or maintaining public improvements consisting of street parkway trees and public park area. Included in the developments' requirements is the replacement of the improvements at the end of its useful life.

Zone 3, Millsbridge II The estimated annual assessment for the first year is \$224 per unit, and the maximum annual assessment is \$ 323. The maximum annual assessment is subject to a yearly cost adjustment of the greater of either 5% or the percentage increase of the Local Consumer Price Index. Subsequent annual assessments will be based upon contract bid prices and the Engineer's Report schedule of replacement costs.

APPROVED:


H. Dixon Flynn, City Manager

Public Hearing to Consider Resolution Adopting Engineer's Report, Confirming the Assessments, Overruling Protests and Declaring Assessment Ballot Results and Annexing Territory to a Maintenance Assessment District and Forming Zone 3 and Zone 4 (Millsbridge Zone 3 and Almond North Zone 4 Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1)

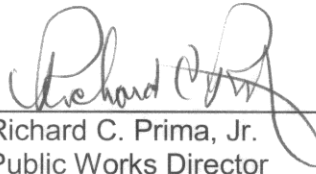
May 5, 2004

Page 2

Zone 4, Almond North The estimated annual assessment for the first year is \$304 per unit, and the maximum annual assessment is \$401. The maximum annual assessment is subject to a yearly cost adjustment of the greater of either 5% or the percentage increase of the Local Consumer Price Index. Subsequent annual assessments will be based upon contract bid prices and the Engineer's Report schedule of replacement costs.

In order for the assessment to be successful under Proposition 218 requirements, a majority of the landowners who vote (calculated in terms of dollars of assessment) must vote in favor of the proposals. If a majority vote is not received, the district will not be formed. At this time, there is a single owner of each subdivision.

FUNDING: The developers are funding construction of the street parkway trees that will be maintained by the Zone 3 and Zone 4 assessments and are reimbursing the City costs for the engineering and legal services required to form the zones and implement the annexation.



Richard C. Prima, Jr.
Public Works Director

Prepared by F. Wally Sandelin, City Engineer

RCP/FWS/pmf

Attachments

cc: D. Stephen Schwabauer, Interim City Attorney
Tony Goehring, Parks and Recreation Director
George Bradley, Street Superintendent

**ENGINEER'S REPORT
MILLSBRIDGE II ZONE 3
AND
ALMOND NORTH ZONE 4
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI**

FISCAL YEAR 2004-2005

PREPARED BY:

**Thompson-Hysell Engineers,
a division of The Keith Companies, Inc.
1016 12th Street
Modesto, CA 95354**

MARCH 2004

**ANNUAL ENGINEER'S REPORT
FOR THE 2004-2005 FISCAL YEAR**

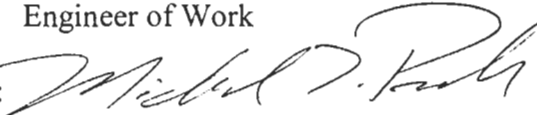
MILLSBRIDGE II ZONE 3 AND
ALMOND NORTH ZONE 4
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1
CITY OF LODI
(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits the enclosed annual report as directed by the City Council.

DATED: _____, 2004.

Thompson-Hysell Engineers
Engineer of Work

BY:


Michael T. Persak
RCE 44908



I HEREBY CERTIFY that the enclosed Annual Engineer's Report, together with Boundary Map, Assessment, and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2004.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Lodi, California on the _____ day of _____, 2004.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was filed with the Auditor of the County of San Joaquin on the _____ day of _____, 2004.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

March 9, 2004

The Honorable Mayor and
City Council of The City of
Lodi, CA

To Whom It May Concern:

This report is prepared pursuant to and in compliance with the requirements of the "Landscaping and Lighting Act of 1972," as amended, commencing with the Streets and Highways code sections 22500, et seq. for the creation of two new zones (Millsbridge II Zone 3 and Almond North Zone 4) in the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1.

BACKGROUND

The Millsbridge II zone consists of a 27-lot residential development and 5 adjacent parcels which, when subdivided, will equal 11 dwelling unit equivalent Factors (dueF's) located in the southwestern portion of the City of Lodi. The development is being pursued by Ron Thomas Development, Tokay Development, and Almond North LLC. The Almond North zone consists of a 28-lot residential development in the southeastern portion of the City of Lodi. The development is being pursued by Almond North LLC, a California Limited Liability Company. This report is relative to the proposed Millsbridge II Zone 3 and Almond North Zone 4 Landscape Maintenance Districts of the City of Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 which provides annual funds for the maintenance of various public landscape improvements.

PHASED DEVELOPMENT

The Millsbridge II Zone 3 and Almond North Zone 4 developments are currently anticipated to be constructed in a single phase. Annually, the additional public amenity improvements and the additional developed areas, if any, shall be identified. The costs of the maintenance of the new improvements, if any, shall be added to and included in the next annual landscape maintenance budget. These amounts for the additional improvements were accounted for in determining the maximum annual assessment (see Exhibit A). The Millsbridge II Zone 3 and Almond North Zone 4 projects, when completed, will include 38 and 28 dueF's, respectively.

ASSESSMENT DISTRICT AREA

The areas of Millsbridge II Zone 3 and Almond North Zone 4 are described as all of the property within the following assessor's parcels identified by assessor's number (APN):

| <u>Zone</u> | <u>Book</u> | <u>Page</u> | <u>Parcel</u> |
|-------------|-------------|-------------|-------------------|
| 3 | 031 | 040 | 10-12, 14, 35, 38 |
| 4 | 062 | 060 | 14, 15 |

Boundary maps are attached to this Engineer's Report as Exhibit B. The assessment diagrams for the Millsbridge II Zone 3 and Almond North Zone 4 Landscape Maintenance Districts are attached to the Engineer's Report as Exhibit C. Sheet 1 of the assessment diagrams is a simple overall boundary map. Sheet 2 is the County Assessor's map and is incorporated in, and made a part of, the assessment diagram.

PLANS AND SPECIFICATIONS

As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by the Millsbridge II Zone 3 and Almond North Zone 4 Landscape Maintenance Districts shall be filed with the City of Lodi and will be incorporated into this report by reference.

DESCRIPTION OF AREAS TO BE MAINTAINED

The Millsbridge II Zone 3 and Almond North Zone 4 Landscape Maintenance Districts are created to provide funding for the continued maintenance of the public areas which are described below. During the installation period for each phase, the installer of the improvements will maintain the new improvements until the following June 30, or until such time as funds are available for maintenance, at which time the new areas shall be incorporated into the areas already being maintained by the District.

The following improvements shall be included in the Districts upon their completion.

1. Zone 3 – Description of Improvements for Future Development

- A. Street parkway trees located within the public street within the District Zone 3 boundary.
- B. Public park land area of 0.3553 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per 1000 persons served.

2. Zone 4 – Description of Improvements for Future Development

- A. Street parkway trees located within the public street within the District Zone 4 boundary.
- B. Public park land area of 0.2618 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per 1000 persons served.

ALLOCATION OF COSTS

Assessments for the Millsbridge II Zone 3 and Almond North Zone 4 Landscape Maintenance Districts are apportioned in a manner intended to fairly distribute the amounts among all assessable developed parcels in proportion to the estimated benefits to be received by each such parcel. A parcel is considered as being developed by reason of having been included as a lot or parcel in the Millsbridge II Zone 3 and Almond North Zone 4 recorded Final Maps or being included within the active developed area in the case of an existing parcel. The criteria for apportioning the costs for the maintenance makes use of a dwelling unit equivalent Factor (dueF) to calculate the benefit for all uses in terms of equivalent dwelling units. The terms, definitions, and procedures followed to develop the annual assessments are as follows:

1. Dwelling Unit Equivalent Factor (dueF)

The dueF for each use is as follows:

A. Single-Family Residential

All parcels determined to be developed for single-family use shall have a dueF of 1.0 for each parcel. One parcel has been designated for duplex use. This parcel will be assigned a dueF of 2.0.

B. Multiple-Family Residential

All parcels determined to be developed for multiple-family residential, other than duplex or triplex uses, shall have a dueF of 5.0 per acre for each parcel, in general representative of the approximate single-family yield if the area were developed for that use.

C. Commercial/Office

All parcels determined to be developed for commercial or office use shall have the dueF factor calculated as follows:

5 dueF per acre for the first 7.5 acres

2.5 dueF per acre for the next 7.5 acres

1.25 dueF per acre for all acreage over 15 acres.

D. Other Uses

All parcels determined to have uses other than identified above shall have a dueF established at the time of the first annual budget affecting such areas as determined by the Engineer or other officer appointed by the City of Lodi to prepare the annual cost spread. The determined dueF shall follow the character of the factors assigned above as nearly as practicable, but the determination shall be the sole responsibility of the appointed party and the City of Lodi.

E. Zero Dwelling Unit Equivalent Factor (dueF)

Certain parcels, by reason of use, size, shape, or state of development, may be assigned a zero dueF which will consequently result in a zero assessment for that fiscal year. All parcels having such a zero dueF for the previous fiscal year shall

annually be reconsidered to determine if the reason for assigning the zero dueF is still valid for the next fiscal year. Parcels which may be expected to have a zero dueF assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

1. Area Adjustments

Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the dueF, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

2. Compilation

Annually, about May 15, following the determination of the dwelling unit equivalent Factor (dueF) for all developed parcels and the determination of the list of developed parcels by APN for the next fiscal year, all single-family or duplex/triplex residential parcels shall have a dwelling unit equivalent (due) assigned to each parcel equal to the dueF for that parcel. For all parcels other than single-family or duplex/triplex residential parcels, the product of the dueF times the area or adjusted usable area of the parcel, as appropriate, shall be calculated and shall be the due assigned. For developed parcels, the sum of the due assigned to each single-family due for each other parcel shall equal the total due for the next fiscal year. The total amount of revenue required for the next fiscal year shall then be divided by the total due to calculate the assessment per due for the next fiscal year. Parcels defined as not developed for the purposes of determining the landscape maintenance assessments will all have a zero dueF and consequently a zero due and a zero assessment.

3. Allocation of Assessments

The assessment for wall maintenance for the next fiscal year shall then be set for each parcel as the product of the calculated dwelling unit equivalent (due) for each parcel, multiplied by the assessment per due for the next fiscal year.

METHOD OF ASSESSMENT SPREAD

In compliance with the provisions of Proposition 218, adding Article XIII D to the California Constitution, the benefits conferred on each parcel within the Lodi Consolidated Landscape Maintenance District No. 2003-1 are particular and distinct benefits (hereinafter "special benefits") over and above general benefits conferred on such property or to the public at large, in that the individual letter-designated zones in the District each represents a common unit to provide landscape, park, and related amenity maintenance, and monitored irrigation for the development of the property within the individual letter-designated zones in the District generally for residential and related urban uses. Benefits are determined to be 100% special benefits and 0% general benefits. Also, in keeping with the requirements of Proposition 218, no annual individual assessments shall be

increased above the amounts assessed under the established criteria for each zone for the preceding fiscal year without an election approval.

The base objective of the assessment spread is to distribute costs in accordance with the benefits received. Costs will be spread equally to each residential lot as follows:

1. Zone 3: Lots 1-27 in Millsbridge II, APN 031-040-10 (3 future lots), APN 031-040-11 (3 future lots), APN 031-040-12 (2 future lots), APN 031-040-14 (1 future lot), and APN 031-040-38 (existing duplex) shall be assessed equally for the estimated costs of maintenance for the fiscal year 2004-2005.
2. Zone 4: Lots 1-28 in Almond North shall be assessed equally for the estimated costs of maintenance for the fiscal year 2004-2005.

ANNUAL ESCALATION

The maximum assessment amount for each fiscal year shall be increased in an amount equal to the greater of: 1) five percent (5.0%), or 2) the percentage increase of the Local Consumer Price Index (CPI). Consumer Price Index applied is for the San Francisco-Oakland-San Jose County Area for All Urban Consumers, as developed by the U.S. Bureau of Labor Statistics for a similar period of time.

ADMINISTRATION

It is intended that the City of Lodi, either directly or by subcontract, shall have the responsibility to establish an ongoing Landscape Maintenance Management entity to be known as the Landscape Maintenance District Manager which shall be responsible to establish the annual budget, keep an accounting of the maintenance and operational administrative costs, administer and perform the landscape maintenance either directly or by subcontract, pay all fees, utility costs, taxes, and any and all other operating costs.

ESTIMATE OF COSTS

The location and size of a park serving these subdivisions has not yet been determined. The estimated costs are for public amenity maintenance only. All improvements will be installed at no cost to the Landscape Maintenance Assessment District. The assessment will not be levied until needed, upon development and City acceptance of the improvements.

Items considered in the maintenance cost include, but are not limited to: Water for plants and trees, weeding, pruning, mowing, replacement of plants and trees that may die, maintenance of pavement and sidewalks, and maintaining and replacing all sprinkler lines and heads.

The annual costs estimated to be collected with the 2004-2005 taxes for the developed areas are as follows:

| <u>ZONE 3</u> | | |
|---|---|---|
| <u>OPERATION OF COSTS</u> | <u>FY 2004-05 ESTIMATED ASSESSMENT</u> | <u>FY 2004-05 MAXIMUM ASSESSMENT</u> |
| Street Trees | \$1,100.00 | \$1,100.00 |
| Future Park Site | \$0.00 | \$3,600.00 |
| Est. Subtotal Operation Costs | \$1,100.00 | \$4,700.00 |
| <u>DISTRICT ADMINISTRATION COSTS</u> | | |
| Annual Engineer's Report | \$4,000.00 | \$4,000.00 |
| Publication | \$100.00 | \$100.00 |
| City Administration Fee | \$2,000.00 | \$2,000.00 |
| County Administration Fee | <u>\$900.00</u> | <u>\$900.00</u> |
| Est. Total Administration Costs | \$7,000.00 | \$7,000.00 |
| Est. Contingency | \$412.00 | \$574.00 |
| Total Estimated Revenue Required for 2004-2005 Fiscal Year | \$8,512.00 | \$12,274.00 |
| Total Appropriation Required from Existing Fund Balance | \$0.00 | \$0.00 |
| Total Estimated Assessment for 2004-2005 Fiscal Year | \$8,512.00 | \$12,274.00 |
| Total dueF | 38 | 38 |
| Assessment per dueF | \$224.00 | \$323.00 |
| MAXIMUM ANNUAL ASSESSMENT | | \$323.00 |

| <u>ZONE 4</u> | <u>FY 2004-05</u> | <u>FY 2004-05</u> |
|---|--------------------------|--------------------------|
| <u>OPERATION OF COSTS</u> | <u>ESTIMATED</u> | <u>MAXIMUM</u> |
| | <u>ASSESSMENT</u> | <u>ASSESSMENT</u> |
| Street Trees | \$1,100.00 | \$1,100.00 |
| Future Park Site | \$0.00 | \$2,600.00 |
| Est. Subtotal Operation Costs | \$1,100.00 | \$3,700.00 |
| <u>DISTRICT ADMINISTRATION COSTS</u> | | |
| Annual Engineer's Report | \$4,000.00 | \$4,000.00 |
| Publication | \$100.00 | \$100.00 |
| City Administration Fee | \$2,000.00 | \$2,000.00 |
| County Administration Fee | <u>\$900.00</u> | <u>\$900.00</u> |
| Est. Total Administration Costs | \$7,000.00 | \$7,000.00 |
| Est. Contingency | \$412.00 | \$528.00 |
| Total Estimated Revenue Required for 2004-2005 Fiscal Year | \$8,512.00 | \$11,228.00 |
| Total Appropriation Required from Existing Fund Balance | \$0.00 | \$0.00 |
| Total Estimated Assessment for 2004-2005 Fiscal Year | \$8,512.00 | \$11,228.00 |
| Total dueF | 28 | 28 |
| Assessment per dueF | \$304.00 | \$401.00 |
| MAXIMUM ANNUAL ASSESSMENT | | \$401.00 |

ASSESSMENT ROLL

The assessment roll for the fiscal year 2004-2005 is as follows:


| Assessment No. | APN No. | Future Lot Nos. | Owner | No. of dueF's | FY 2004-05 Estimated Assessment | FY 2004-05 Maximum Assessment |
|--------------------------------------|------------|-----------------|---|---------------|---------------------------------|-------------------------------|
| <i>Millsbridge II, Zone 3</i> | | | | | | |
| 1 | 031-040-35 | 1-11, 25-27 | R. Thomas Development Inc. and Tokay Development Inc. | 14 | \$3,136.00 | \$4,522.00 |
| 2 | 031-040-36 | 12-24 | R. Thomas Development Inc. and Tokay Development Inc. | 13 | \$2,912.00 | \$4,199.00 |
| 3 | 031-040-10 | 28-30 | Mazen M. Mardini | 3 | \$672.00 | \$969.00 |
| 4 | 031-040-11 | 31-33 | Jeffrey/Carol Kirst Trust and Ronald B. Thomas Trust | 3 | \$672.00 | \$969.00 |
| 5 | 031-040-12 | 34-35 | Jeffrey/Carol Kirst Trust and Ronald B. Thomas Trust | 2 | \$448.00 | \$646.00 |
| 6 | 031-040-14 | 36 | Jeffrey/Carol Kirst Trust and Ronald B. Thomas Trust | 1 | \$224.00 | \$323.00 |
| 7 | 031-040-38 | 37 | Darrell & Rhonda Sasaki | 2 | \$448.00 | \$646.00 |
| Total Zone 3 | | | | 38 | \$8,512.00 | \$12,274.00 |
| <i>Almond North, Zone 4</i> | | | | | | |
| 1 | 062-060-14 | 1-27 | Almond North, LLC | 27 | \$8,208.00 | \$10,827.00 |
| 2 | 062-060-15 | 28 | Almond North, LLC | 1 | \$304.00 | \$401.00 |
| Total Zone 4 | | | | 28 | \$8,512.00 | \$11,228.00 |

The parcels in this subdivision are expected to subdivide upon and subsequent to the formation of Zones 3 and 4. The proposed subdivision will yield approximately 66 parcels (residential lots) and will have a proposed assessment roll, based on the above criteria and budget, set forth in Exhibit A.

Engineer's Report
Millsbridge II Zone 3 and
Almond North Zone 4
Page 9 of 9
March 9, 2004

The foregoing Engineer's Report and the estimate of costs, as well as the Assessment Diagram and Assessment Roll, which are attached hereto, are presented for your approval by resolution dated this _____ day of _____, 2004.

THOMPSON-HYSELL ENGINEERS
Engineer of Work

BY: 
Michael T. Persak
RCE 44908



**EXHIBIT A
ASSESSMENT ROLL
MILLSBRIDGE II ZONE 3 AND
ALMOND NORTH ZONE 4
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI, CA**

| DIAGRAM NUMBER | COUNTY ASSESSOR NUMBER | UNIT NO. | LOT NO. | FY 2004-05 ESTIMATED ASSESSMENT | FY 2004-05 MAXIMUM ASSESSMENT |
|---------------------------|---------------------------------------|-----------------|------------------------|--|--|
| 1 | 031-040-35 | Millsbridge II | Lot No. 1 | \$224.00 | \$323.00 |
| 2 | 031-040-35 | Millsbridge II | Lot No. 2 | \$224.00 | \$323.00 |
| 3 | 031-040-35 | Millsbridge II | Lot No. 3 | \$224.00 | \$323.00 |
| 4 | 031-040-35 | Millsbridge II | Lot No. 4 | \$224.00 | \$323.00 |
| 5 | 031-040-35 | Millsbridge II | Lot No. 5 | \$224.00 | \$323.00 |
| 6 | 031-040-35 | Millsbridge II | Lot No. 6 | \$224.00 | \$323.00 |
| 7 | 031-040-35 | Millsbridge II | Lot No. 7 | \$224.00 | \$323.00 |
| 8 | 031-040-35 | Millsbridge II | Lot No. 8 | \$224.00 | \$323.00 |
| 9 | 031-040-35 | Millsbridge II | Lot No. 9 | \$224.00 | \$323.00 |
| 10 | 031-040-35 | Millsbridge II | Lot No. 10 | \$224.00 | \$323.00 |
| 11 | 031-040-35 | Millsbridge II | Lot No. 11 | \$224.00 | \$323.00 |
| 12 | 031-040-36 | Millsbridge II | Lot No. 12 | \$224.00 | \$323.00 |
| 13 | 031-040-36 | Millsbridge II | Lot No. 13 | \$224.00 | \$323.00 |
| 14 | 031-040-36 | Millsbridge II | Lot No. 14 | \$224.00 | \$323.00 |
| 15 | 031-040-36 | Millsbridge II | Lot No. 15 | \$224.00 | \$323.00 |
| 16 | 031-040-36 | Millsbridge II | Lot No. 16 | \$224.00 | \$323.00 |
| 17 | 031-040-36 | Millsbridge II | Lot No. 17 | \$224.00 | \$323.00 |
| 18 | 031-040-36 | Millsbridge II | Lot No. 18 | \$224.00 | \$323.00 |
| 19 | 031-040-36 | Millsbridge II | Lot No. 19 | \$224.00 | \$323.00 |
| 20 | 031-040-36 | Millsbridge II | Lot No. 20 | \$224.00 | \$323.00 |
| 21 | 031-040-36 | Millsbridge II | Lot No. 21 | \$224.00 | \$323.00 |
| 22 | 031-040-36 | Millsbridge II | Lot No. 22 | \$224.00 | \$323.00 |
| 23 | 031-040-36 | Millsbridge II | Lot No. 23 | \$224.00 | \$323.00 |
| 24 | 031-040-36 | Millsbridge II | Lot No. 24 | \$224.00 | \$323.00 |
| 25 | 031-040-35 | Millsbridge II | Lot No. 25 | \$224.00 | \$323.00 |
| 26 | 031-040-35 | Millsbridge II | Lot No. 26 | \$224.00 | \$323.00 |
| 27 | 031-040-35 | Millsbridge II | Lot No. 27 | \$224.00 | \$323.00 |
| 28 | 031-040-10 | Millsbridge II | Lot No. 28 | \$224.00 | \$323.00 |
| 29 | 031-040-10 | Millsbridge II | Lot No. 29 | \$224.00 | \$323.00 |
| 30 | 031-040-10 | Millsbridge II | Lot No. 30 | \$224.00 | \$323.00 |
| 31 | 031-040-11 | Millsbridge II | Lot No. 31 | \$224.00 | \$323.00 |
| 32 | 031-040-11 | Millsbridge II | Lot No. 32 | \$224.00 | \$323.00 |
| 33 | 031-040-11 | Millsbridge II | Lot No. 33 | \$224.00 | \$323.00 |
| 34 | 031-040-12 | Millsbridge II | Lot No. 34 | \$224.00 | \$323.00 |
| 35 | 031-040-12 | Millsbridge II | Lot No. 35 | \$224.00 | \$323.00 |
| 36 | 031-040-14 | Millsbridge II | Lot No. 36 | \$224.00 | \$323.00 |
| 37 | 031-040-38 | Millsbridge II | Lot No. 37 (duplex) | \$448.00 | \$646.00 |
| ZONE 3 TOTAL | | | | \$8,512.00 | \$12,274.00 |

**EXHIBIT A
ASSESSMENT ROLL
MILLSBRIDGE II ZONE 3 AND
ALMOND NORTH ZONE 4
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI, CA**

| DIAGRAM NUMBER | COUNTY ASSESSOR NUMBER | UNIT NO. | LOT NO. | FY 2004-05 ESTIMATED ASSESSMENT | FY 2004-05 MAXIMUM ASSESSMENT |
|---------------------------|---------------------------------------|-----------------|----------------|--|--|
| 38 | 062-060-14 | Almond North | Lot No. 1 | \$304.00 | \$401.00 |
| 39 | 062-060-14 | Almond North | Lot No. 2 | \$304.00 | \$401.00 |
| 40 | 062-060-14 | Almond North | Lot No. 3 | \$304.00 | \$401.00 |
| 41 | 062-060-14 | Almond North | Lot No. 4 | \$304.00 | \$401.00 |
| 42 | 062-060-14 | Almond North | Lot No. 5 | \$304.00 | \$401.00 |
| 43 | 062-060-14 | Almond North | Lot No. 6 | \$304.00 | \$401.00 |
| 44 | 062-060-14 | Almond North | Lot No. 7 | \$304.00 | \$401.00 |
| 45 | 062-060-14 | Almond North | Lot No. 8 | \$304.00 | \$401.00 |
| 46 | 062-060-14 | Almond North | Lot No. 9 | \$304.00 | \$401.00 |
| 47 | 062-060-14 | Almond North | Lot No. 10 | \$304.00 | \$401.00 |
| 48 | 062-060-14 | Almond North | Lot No. 11 | \$304.00 | \$401.00 |
| 49 | 062-060-14 | Almond North | Lot No. 12 | \$304.00 | \$401.00 |
| 50 | 062-060-14 | Almond North | Lot No. 13 | \$304.00 | \$401.00 |
| 51 | 062-060-14 | Almond North | Lot No. 14 | \$304.00 | \$401.00 |
| 52 | 062-060-14 | Almond North | Lot No. 15 | \$304.00 | \$401.00 |
| 53 | 062-060-14 | Almond North | Lot No. 16 | \$304.00 | \$401.00 |
| 54 | 062-060-14 | Almond North | Lot No. 17 | \$304.00 | \$401.00 |
| 55 | 062-060-14 | Almond North | Lot No. 18 | \$304.00 | \$401.00 |
| 56 | 062-060-14 | Almond North | Lot No. 19 | \$304.00 | \$401.00 |
| 57 | 062-060-14 | Almond North | Lot No. 20 | \$304.00 | \$401.00 |
| 58 | 062-060-14 | Almond North | Lot No. 21 | \$304.00 | \$401.00 |
| 59 | 062-060-14 | Almond North | Lot No. 22 | \$304.00 | \$401.00 |
| 60 | 062-060-14 | Almond North | Lot No. 23 | \$304.00 | \$401.00 |
| 61 | 062-060-14 | Almond North | Lot No. 24 | \$304.00 | \$401.00 |
| 62 | 062-060-14 | Almond North | Lot No. 25 | \$304.00 | \$401.00 |
| 63 | 062-060-14 | Almond North | Lot No. 26 | \$304.00 | \$401.00 |
| 64 | 062-060-14 | Almond North | Lot No. 27 | \$304.00 | \$401.00 |
| 65 | 062-060-15 | Almond North | Lot No. 28 | \$304.00 | \$401.00 |
| ZONE 4 TOTAL | | | | \$8,512.00 | \$11,228.00 |

PROPOSED AMENDED BOUNDARIES
(MILLSBRIDGE II, ZONE 3 ANNEXATION)
CITY OF LODI CONSOLIDATED LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT
NO. 2003-1 CITY OF LODI,
SAN JOAQUIN COUNTY
STATE OF CALIFORNIA
BEING A PORTION OF THE SOUTHWEST
QUARTER OF SECTION 11, T.3N., R.6E., M.D.B.M.,
CITY OF LODI,
SAN JOAQUIN COUNTY, CALIFORNIA

THOMPSON-HYSELL ENGINEERS
1016 12th STREET
MODESTO, CALIFORNIA
MARCH, 2004

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI, THIS _____ DAY
OF _____, 2004.

CITY CLERK OF THE CITY OF LODI

RECORDED THIS _____ DAY OF _____, 2004, AT THE HOUR
OF _____ IN THE OFFICE OF THE COUNTY CLERK OF THE COUNTY OF
SAN JOAQUIN, CALIFORNIA, WHEREIN IS CONTAINED A TRUE AND
CORRECT COPY OF THE MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

COUNTY RECORDER
OF SAN JOAQUIN COUNTY, CALIFORNIA

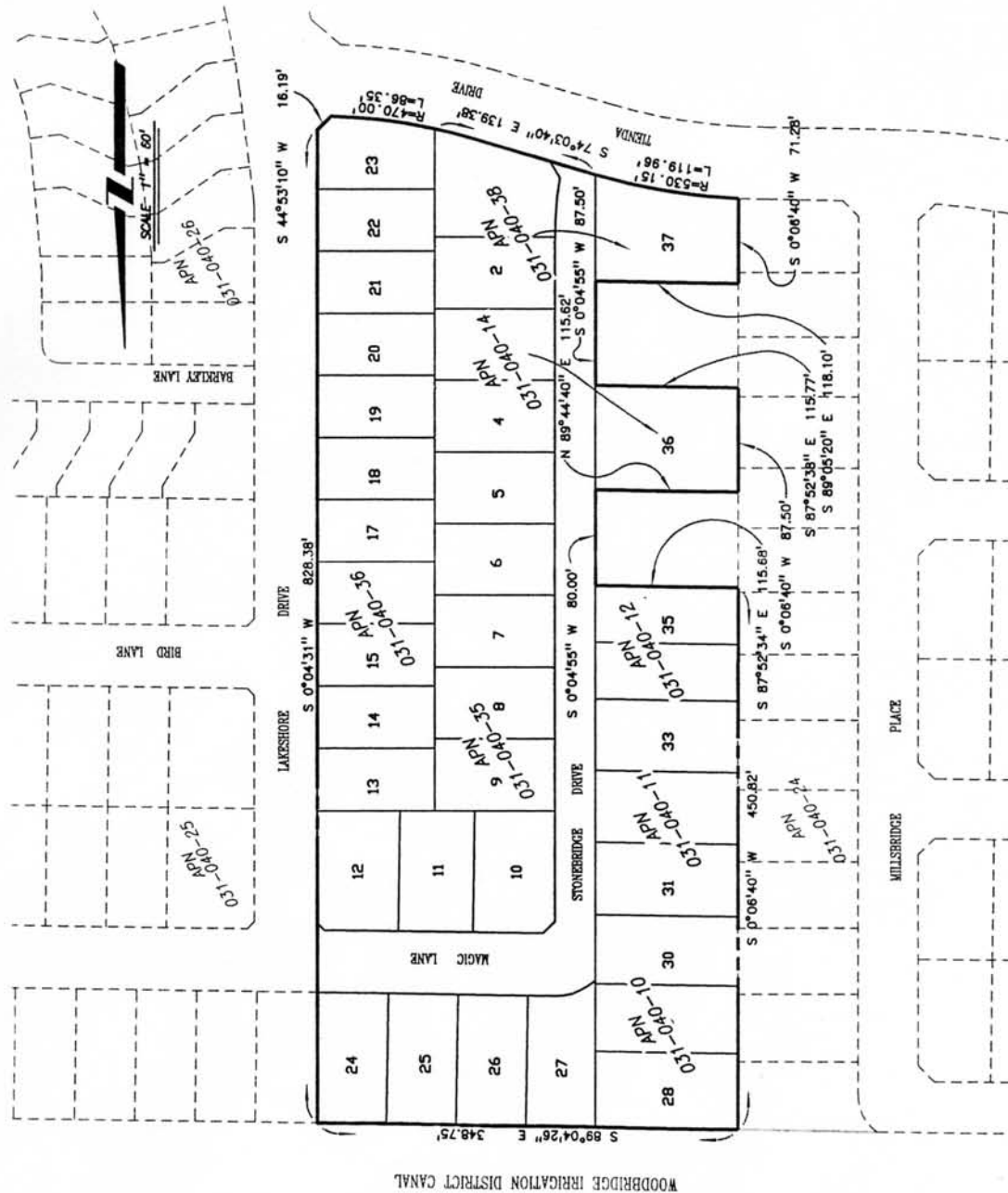
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED
BOUNDARIES FOR THE CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA
ASSESSMENT DISTRICT NO. 2003-1, CITY OF LODI, SAN JOAQUIN
COUNTY, CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE
CITY OF LODI AT A REGULAR MEETING THEREOF, HELD ON THE
DAY OF _____, 2004, BY ITS RESOLUTION NO. _____.

CITY CLERK OF THE CITY OF LODI

THE WITHIN BOUNDARY MAP SHOWS THE BOUNDARY MAP FOR THE CITY OF LODI,
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1,
CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA PRIOR TO RECORD
AT BOOK 4 OF MAPS AND ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS
IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF
SAN JOAQUIN, STATE OF CALIFORNIA.

LEGEND:
OVERALL DISTRICT BOUNDARY LINE

EXHIBIT B

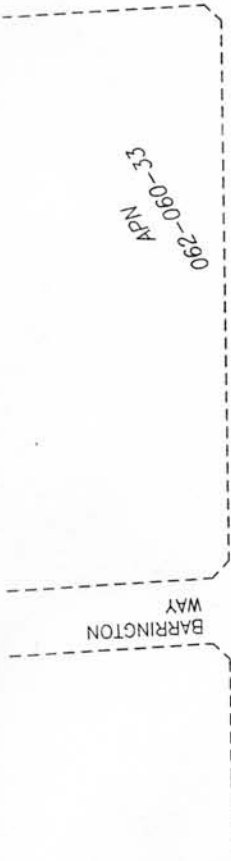


**PROPOSED AMENDED BOUNDARIES
(ALMOND NORTH, ZONE 4 ANNEXATION)
CITY OF LODI CONSOLIDATED LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT
NO. 2003-1 CITY OF LODI,
SAN JOAQUIN COUNTY
STATE OF CALIFORNIA**

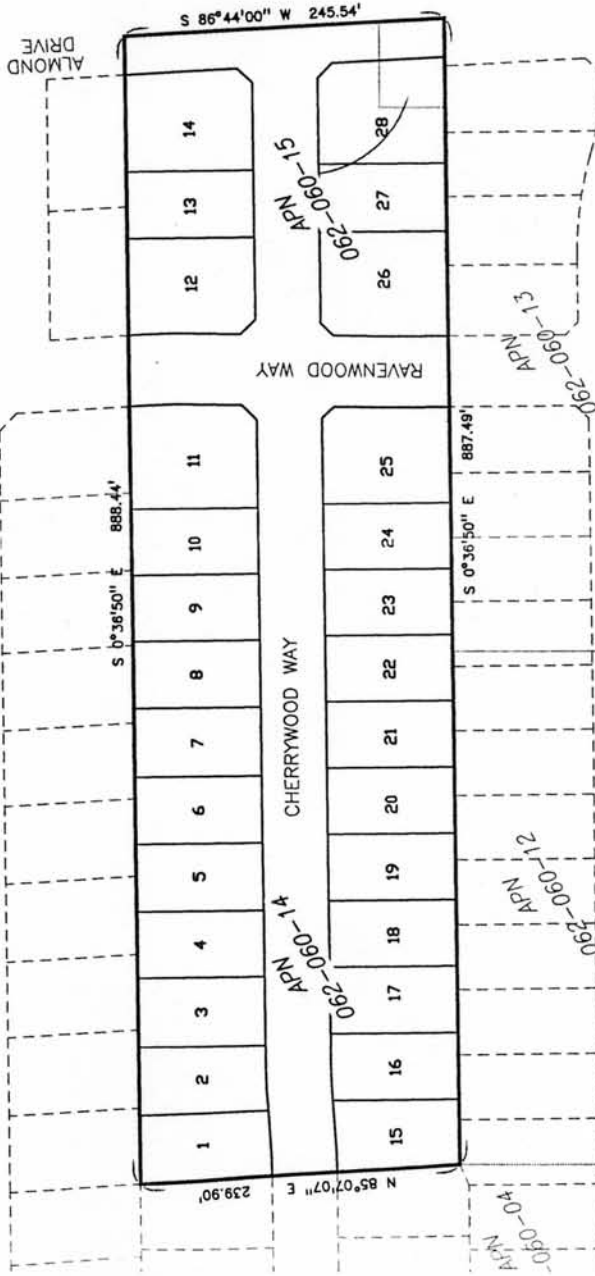
BEING A PORTION OF THE SOUTHWEST
QUARTER OF SECTION 14, T.34N, R.6E, M.D.B.&M.,
CITY OF LODI,
SAN JOAQUIN COUNTY, CALIFORNIA

THOMPSON-HYSELL ENGINEERS
1016 12th STREET MODESTO, CALIFORNIA
MARCH, 2004

SCALE 1" = 60'



FAWNHAVEN WAY



CITY CLERK OF THE CITY OF LODI

THE AMENDED BOUNDARY MAP AMENDS THE BOUNDARY MAP FOR CITY OF LODI
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1,
CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA, PREPARED BY
THOMPSON-HYSELL ENGINEERS, INC., AND ASSOCIATES, INC., AND RECORDED
AT PAGE 102 IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF
SAN JOAQUIN, STATE OF CALIFORNIA.

LEGEND:
OVERALL DISTRICT BOUNDARY LINE

EXHIBIT B

ASSESSMENT DIAGRAM, ZONE 3
MILLSBRIDGE II
CITY OF LODI CONSOLIDATED LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT
NO. 2003-1 CITY OF LODI,
SAN JOAQUIN COUNTY
STATE OF CALIFORNIA

BEING THE SOUTHWEST QUARTER OF SECTION 11,
T.3 N., R. 6 E., M. D. B. & M.,
CITY OF LODI,
SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS
DAY OF _____ 2004.

CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS
DAY OF _____ 2004.

SUPERINTENDENT OF STREETS
OF THE CITY OF LODI

FILED THIS _____ DAY OF _____ 2004 AT THE HOUR
OF _____ M. IN BOOK _____ PAGE _____
OF MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

ASSESSOR-RECORDING-COUNTY CLERK
OF SAN JOAQUIN COUNTY, CALIFORNIA

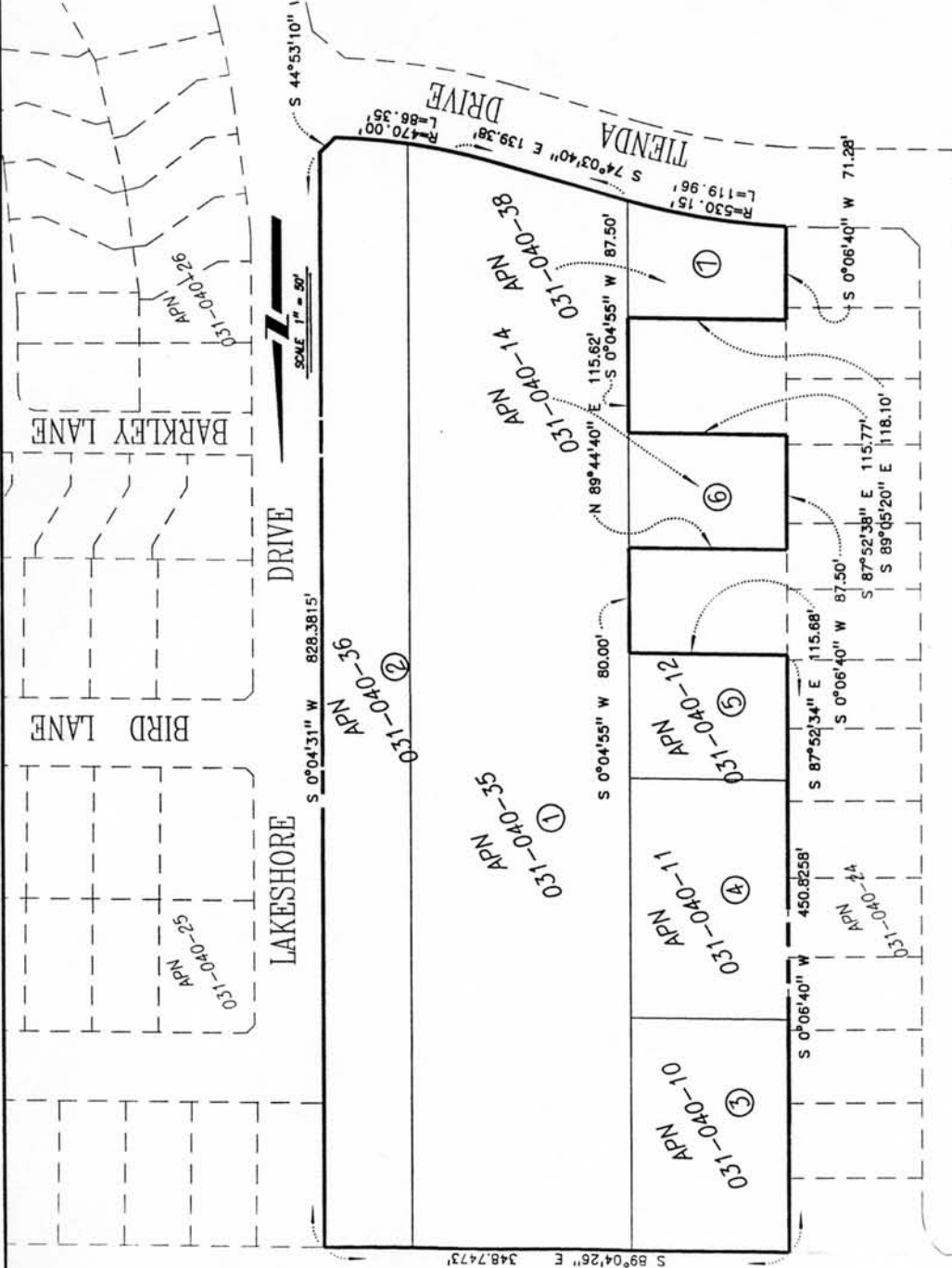
AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF LODI,
COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, ON THE PRECES AND PARCELS
OF LAND SHOWN ON THE ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LEVIED
ON THE _____ DAY OF _____ 2003. THE ASSESSMENT DIAGRAM AND THE
ASSESSMENT ROLL ARE ON FILE IN THE OFFICE OF THE SUPERINTENDENT
OF STREETS OF THE CITY OF LODI. THE ASSESSMENT ROLL IS ON FILE IN THE
OFFICE OF THE SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT
LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

CITY CLERK OF THE CITY OF LODI

EXHIBIT C
SHEET 1 OF 2



THOMPSON-HYSELL
ENGINEERS
1000 J STREET, SUITE 200
LODI, CALIFORNIA 93240



LEGEND:

- ASSESSMENT DISTRICT BOUNDARY LINE
- ASSESSMENT DISTRICT PARCEL NUMBER

- NOTES:
- ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN THE CITY OF LODI AND WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
 - THIS MAP WAS COMPILED FROM THE RECORD INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.
 - THIS ASSESSMENT DISTRICT CONTAINS 8.03 ACRES.

ASSESSMENT DIAGRAM INDEX

| BOOK | PAGE | PARCELS |
|------|------|----------------------------|
| 082 | 080 | 10, 11, 12, 14, 35, 36, 38 |

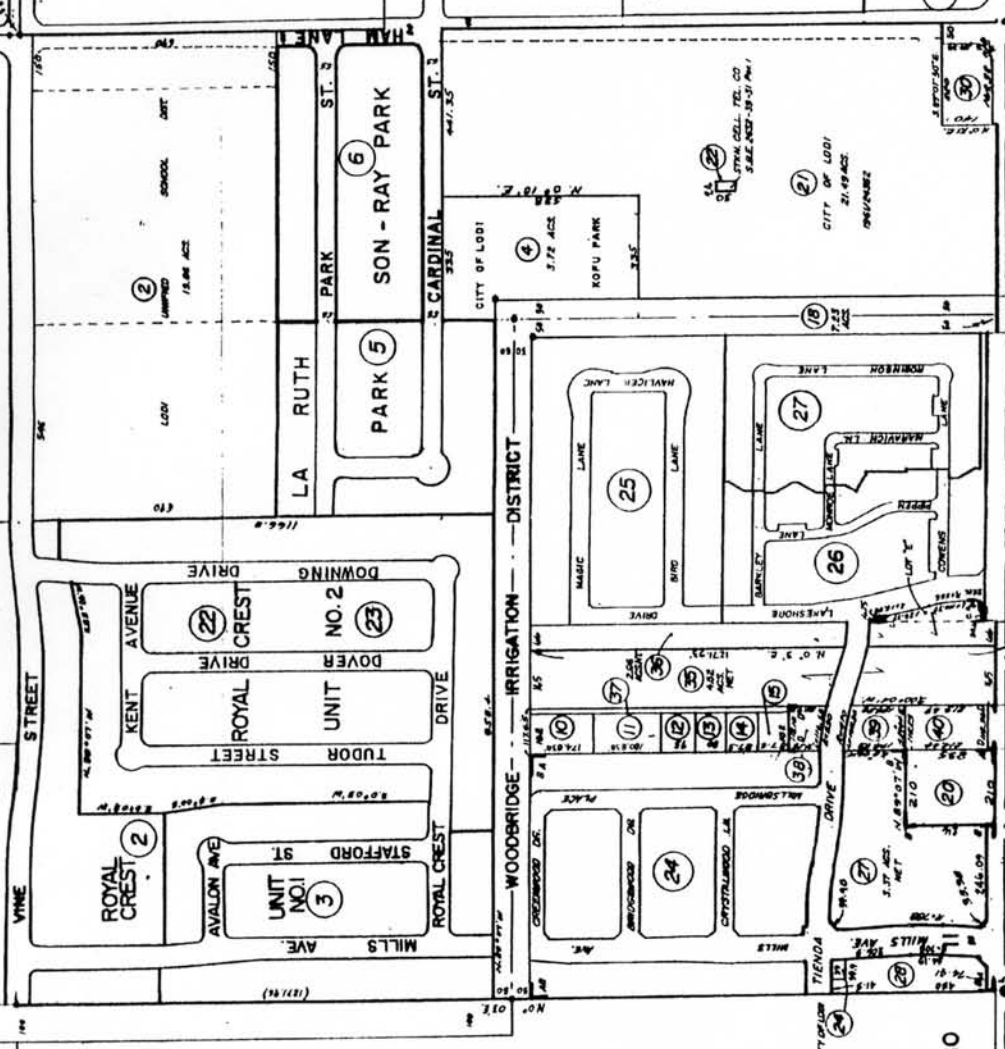
SUNSET SOUTH VISTA RAY 031-04

THIS MAP FOR
ASSESSMENT USE ONLY
POR.
C-TIENDA PLACE, UNIT NO. 1



SW. 1/4 SEC. 11 T3 N. R. 6 E.
SCALE 1"=300'
SAN JOAQUIN COUNTY
ASSESSORS MAPS

- A - P. M. Bk. 7 Pg. 125
- B - P. M. Bk. 20 Pg. 172
- C - R. M. Bk. 36 Pg. 060
- D - P. M. Bk. 22 Pg. 110



NO. 12

Bk. 050

Bk. 058

ASSESSMENT DIAGRAM, ZONE 4
ALMOND NORTH
CITY OF LODI CONSOLIDATED LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT
NO. 2003-1 CITY OF LODI,
SAN JOAQUIN COUNTY
STATE OF CALIFORNIA

BEING A PORTION OF LOT 14, A.J. LARSON'S
SUBDIVISION OF THE NORTHEAST QUARTER
OF SECTION 13, T.3N., R.6., M. D. B. & M.,
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS
DAY OF _____ 2004.

CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS
DAY OF _____ 2004.

SUPERINTENDENT OF STREETS
OF THE CITY OF LODI

FILED THIS _____ DAY OF _____ 2004 AT THE HOUR
OF _____ IN BOOK _____ PAGE _____
OF _____ MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

ASSESSOR-RECORDER-COUNTY CLERK
OF SAN JOAQUIN COUNTY, CALIFORNIA

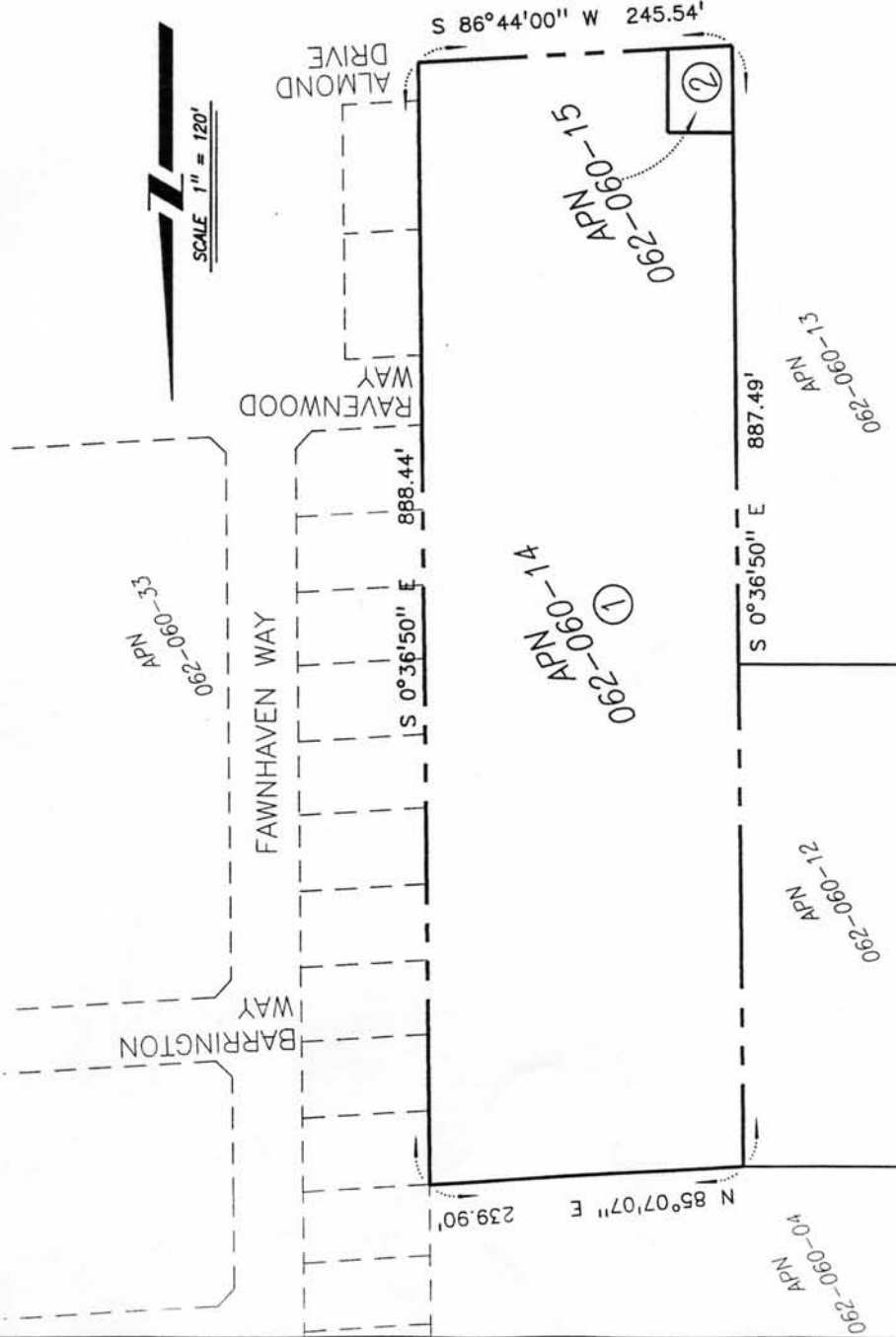
AN ASSESSMENT WAS LAYED BY THE CITY COUNCIL OF THE CITY OF LODI,
COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, ON THE PRECISE AND PARCELS
OF LAND SHOWN ON THE ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LAYED
ON THE _____ DAY OF _____ 2004. THE ASSESSMENT DIAGRAM AND THE
ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT
OF STREETS OF THE CITY OF LODI ON THE _____ DAY OF _____ 2003.
REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE
SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT
LEVIED AGAINST EACH PARCEL OF LAND SHOWN OF THIS ASSESSMENT DIAGRAM.

CITY CLERK OF THE CITY OF LODI

EXHIBIT C
SHEET 1 OF 2



**THOMPSON-HYSELL
ENGINEERS**
A MEMBER OF THE BURNS & MCDONNELL GROUP
1018 18TH STREET, SACRAMENTO, CA 95834 (916) 441-4000

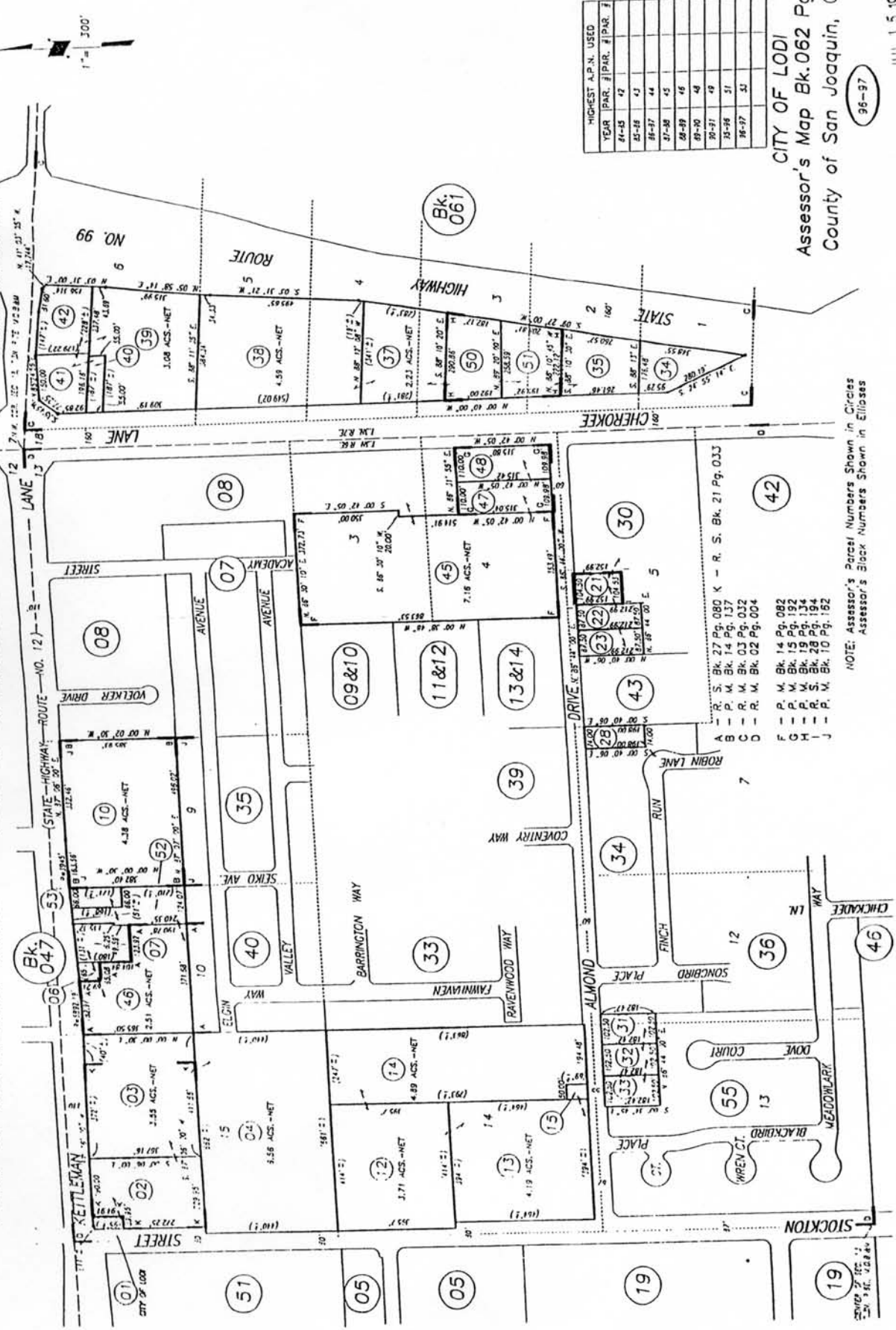


LEGEND:
ASSESSMENT DISTRICT BOUNDARY LINE
① ASSESSMENT DISTRICT PARCEL NUMBER

ASSESSMENT DIAGRAM INDEX
BOOK PAGE PARCELS
062 060 14, 15

- NOTES:
- ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN THE CITY OF LODI AND WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
 - THIS MAP WAS COMPILED FROM THE RECORD INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.
 - THIS ASSESSMENT DISTRICT CONTAINS 5.00 ACRES.

THIS MAP FOR
ASSESSMENT USE ONLY



NOTE: Assessor's Parcel Numbers Shown in Circles
Assessor's Block Numbers Shown in Ellipses

CITY OF LODI
Assessor's Map Bk.062 Pg. 06
County of San Joaquin, Calif.

| HIGHEST A.P.N. USED | YEAR | PAR. | # PAR. | # PAR. |
|---------------------|------|------|--------|--------|
| 84-48 | 42 | | | |
| 85-48 | 43 | | | |
| 86-47 | 44 | | | |
| 87-48 | 45 | | | |
| 88-49 | 46 | | | |
| 89-50 | 47 | | | |
| 90-51 | 48 | | | |
| 91-52 | 49 | | | |
| 92-53 | 50 | | | |
| 93-54 | 51 | | | |
| 94-55 | 52 | | | |

96-57

Resolution No. 2004-89

A RESOLUTION OF THE LODI CITY COUNCIL ADOPTING ENGINEER'S REPORT,
CONFIRMING THE ASSESSMENTS, OVERRULING PROTESTS AND DECLARING
ASSESSMENT BALLOTS RESULTS, AND ANNEXING TWO TERRITORIES TO A
MAINTENANCE ASSESSMENT DISTRICT AND FORMING ZONE 3 AND ZONE 4

MILLSBRIDGE II ZONE 3
AND
ALMOND NORTH ZONE 4
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1
(Landscaping and Lighting Act of 1972)

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that:

1. On March 17, 2004, this Council adopted a Resolution of Intention to annex two territories to a maintenance assessment district, to form two zones and to levy and collect assessments and a Resolution of Preliminary Determination and in them directed the Engineer to make and file a Report in writing in accordance with and pursuant to the Landscaping and Lighting Act of 1972 (the Act) in and for the City's proposed Millsbridge II Zone 3 and Almond North Zone 4 Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1.

2. The Report was made and filed and the Report was considered by this Council and found to be sufficient in every particular, whereupon it was determined that the Report be and it was preliminarily approved for all subsequent proceedings under and pursuant to the Resolution of Intention.

3. The City Council provided for the giving of notice of the public hearing setting Wednesday May 5, 2004, at the hour of 7:00 p.m., in the meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time for the public hearing to take testimony and for hearing protests in relation to the proposed assessment, the annexation of two territories to the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, the formation of Zone 3 and Zone 4, the maintenance of the improvements thereof, the property owner assessment ballot procedure required by Article XIII D of the California Constitution and final action upon the Engineer's Report.

4. The City Clerk has filed with the City Council a Certificate setting forth the time and manner of the compliance with the requirements of law for mailing notices of the time and place for said public hearing and the notice of the property owner assessment ballot procedure required by Article XIID of the California Constitution (together with the property owner assessment ballots) and the Council hereby finds that the notice of the time and place for said public hearing thereon and notice of the property owner assessment ballot procedure required by Article XIID of the California Constitution (together with the property owner assessment ballots) has been mailed in the time, form, and manner required by law.

5. On May 5, 2004, at the time and place as set forth in Resolution 2004-49 the City Council held the public hearing and duly heard all interested parties desiring to be heard.

6. In accordance with Resolution No. 2004-49 and Article XIID of the California Constitution, property owner assessment ballots were provided to all of the property owners in said two territories to be annexed and at the close of the public hearing, the Clerk, the impartial person designated by the Council, tabulated the assessment ballots for each zone submitted and not withdrawn and found that the assessment ballots in each zone submitted, and not withdrawn, in opposition to the proposed assessment in each zone did not exceed assessment ballots in each zone submitted and not withdrawn in favor, weighing those assessment ballots in each zone by the amount of the proposed assessment in each zone to be imposed upon the identified parcels for which each assessment ballot in each zone was submitted and the Council so found.

7. The City Council finds that any and all protests against the proposed assessment, maintenance of the improvements, or against the annexation of territory to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 or the formation of Zone 3 or the extent thereof or against the engineer's estimate of costs and expenses, in whole or as to any part, or against the diagram and descriptions in whole or in part (specifically all written protests not withdrawn in writing before the conclusion of the protest hearing) are made by the owners of less than one-half of the area of the land to be assessed. The City Council hereby overrules each of these protests, written and oral.

8. The City Council further finds that any and all protests against the proposed assessment, maintenance of the improvements, or against the annexation of territory to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 or the formation of Zone 4 or the extent thereof or against the engineer's estimate of costs and expenses, in whole or as to any part, or against the diagram and descriptions in whole or in part (specifically all written protests not withdrawn in writing before the conclusion of the protest hearing) are made by the owners of less than one-half of the area of the land to be assessed. The City Council hereby overrules each of these protests, written and oral.

9. The City has caused the distribution of assessment ballots, a summary of the procedures applicable to the completion, return and tabulation of assessment ballots, and a statement that the existence of a majority protest will result in the assessment not being imposed. The City hereby finds and declares that the two ballot measures have been submitted to the voters of land within the two territories to be annexed and after the tabulation of the assessment ballots for each zone submitted and not withdrawn, that no majority protest against the assessment in either zone existed because the assessment ballots in each zone submitted in opposition to the assessment in each zone did not exceed the ballots submitted in favor of the assessment in said zone. In tabulating the ballots, they were weighted according to the proportional financial obligation of the affected properties.

10. The City Council hereby approves the Engineer's Report and each component part of it, including each Exhibit incorporated by reference in the Report. Reference is made to the Report for a full and detailed description of the improvements to be maintained, the boundaries of the two territories to be annexed, Zone 3 and Zone 4, and the Assessments for each Zone.

11. The City Council hereby confirms the Assessment, Assessment Roll, and the Diagrams as now on file with it, and declares the Engineer's Report and said Diagrams, Assessment, and Assessment Roll as contained therein are hereby adopted and confirmed.

12. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the public hearing, this Council expressly finds and determines that as to Zone 3 and Zone 4:

(a) each of the several subdivisions of land in the territories to be annexed will be specially benefited by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the subdivisions of land, respectively; and

(b) there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the finding and determination as to special benefits.

13. The City Council determines and orders the territories described in the Engineer's Report be annexed to Lodi Consolidated Landscape Maintenance Assessment District, that Zone 3 and Zone 4 be formed and shall be known as Millsbridge II Zone 3 and Almond North Zone 4, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1.

14. This Council hereby orders that the improvements described in the Resolution of Intention be maintained, the formula and method of assessment to be used to pay the annual costs and expenses of the maintenance be confirmed, that the maximum annual assessment is established and is hereby ordered and confirmed as follows:

A. Zone 3 in the amount of \$323.00 per dueF per year

B. Zone 4 in the amount of \$401.00 per dueF per year

15. The City Council finds, determines, and orders that the maximum annual assessment set forth in **Paragraph 14** of this resolution shall be annually increased in an amount equal to the greater of: 1) five percent (5%) or 2) the percentage increase of the local Consumer Price Index (CPI). The CPI applied is for the San Francisco-Oakland-San Jose County Area for all Urban Consumers as developed by the U. S. Bureau of Labor Statistics for a similar period of time.

16. The City Council finds, determines, and orders that for the 2004-05 fiscal year there is hereby levied on each parcel in Zone 3 an actual assessment amount of \$224.00 per dwelling unit equivalent Factor (dueF) and on each parcel in Zone 4 an actual assessment amount of \$304.00 dueF as detailed in the Engineer's Report and Assessment Roll contained therein.

17. The City Council hereby directs the City Clerk to comply with Section 22641 of the Streets and Highways Code. The County Auditor/ Controller is requested to comply with the provisions of Section 22645 of the Streets and Highways Code in the collection of installments for taxes when levied by this Council.

18. This resolution shall take effect immediately upon its passage.

Dated: May 5, 2004

=====

I hereby certify that Resolution No. 2004-89 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 5, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard,
Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

RECEIVED

MAR 24 2004

City Clerk
City of Lodi

CITY OF LODI
Millsbridge II Zone 3
Lodi Consolidated Landscape Maintenance
Assessment District No. 2003-1

CERTIFICATE OF MAILING NOTICE OF PUBLIC HEARING, ASSESSMENT BALLOT
PROCEDURE AND
PROPERTY OWNER ASSESSMENT BALLOT

I, Timothy J. Hachman, under penalty of perjury, certify as follows:

That for and on behalf of the Clerk of the City of Lodi, and on March 19, 2004, I caused to be mailed a Notice of Public Hearing and Assessment Ballot Procedure and Property Owner Assessment Ballot for the City of Lodi, Millsbridge II Zone 3, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, postage prepaid, to all persons or their authorized representatives owning real property proposed to be assessed whose names and addresses appear on the last San Joaquin County equalized assessment roll of general taxes or as are known to said City Clerk, a copy of which Notice and Property Owner Assessment Ballot is hereto attached and marked Exhibit "A."

Executed on March 22, 2004.


TIMOTHY J. HACHMAN

CITY OF LODI
MILLSBRIDGE II ZONE 3 LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

IMPORTANT – OFFICIAL PROPERTY OWNER ASSESSMENT BALLOT

This ballot is for the use of the property owner of the parcel identified below, which parcel is located within the proposed Millsbridge II Zone 3, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1. Please advise the City Clerk at (209) 333-6702 if the name set forth below is incorrect or if you are no longer the owner of the parcel.

This ballot may be used to express either support for or opposition to the proposed assessment. In order to be counted, this ballot must be marked "Yes" or "No", dated and signed in ink below by an owner or, if the owner is not an individual, by an authorized representative of the owner. The ballot must then be delivered to the City Clerk at the Lodi City Hall, 221 West Pine Street, Lodi, CA 95241-1910, either by mail or in person, as follows:

Mail Delivery If by mail. Place the ballot in the enclosed, self-addressed stamped return envelope and place in the mail not later than one calendar week prior to May 5, 2004. The City Clerk cannot be responsible for late delivery of mailed ballots.

Personal Delivery If in person, to the City Clerk during regular office hours (8:00a.m. to 5:00 p.m.) at any time up to 5:00 on May 5, 2004 at the City Clerk's office at Lodi City Hall, 221 West Pine Street, Lodi, CA or at the protest hearing itself, scheduled for 7:00 p.m. on that date in the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street Lodi, CA

Whether delivered by mail or in person, the ballot must be received by the City Clerk prior to the close of the public hearing on May 5, 2004.

TO CAST THIS BALLOT, VOTE, SIGN IN INK, DATE AND RETURN THIS ENTIRE PAGE

OFFICIAL ASSESSMENT BALLOT

| | |
|--------------------------|---------------------------|
| Assessor's Parcel Number | Maximum Assessment Amount |
| 031-040-35 | \$4,522.00 |
| 031-040-36 | \$4,199.00 |
| Total: | \$8,721.00 |

Owner Name
R Thomas Development, Inc
Tokay Development, Inc.
P. O. Box 1598
Lodi, CA 95241-1598

(Upon subdivision 27 lots/dues at a Maximum Annual
Assessment Amount \$323.00 per lot/dues)

Mark With an "X" in the appropriate blank

BALLOT MEASURE

| | |
|---|------------------------------|
| Shall the Lodi City Council annex Millsbridge II to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, form Zone 3 and levy a Maximum Assessment not to exceed the amount set forth above on the parcel(s) identified for street parkway trees amenities and park maintenance with annual maximum increases in future assessments in an amount equal to the greater of 5% or the percentage increase of the Local Consumer Price Index (CPI). CPI applied is for the San Francisco- Oakland- San Jose Area for All Urban Consumers, as developed by U. S. Bureau of Labor Statistics for a similar period of time? | YES <input type="checkbox"/> |
| | NO <input type="checkbox"/> |

I hereby certify under penalty of perjury that I am the legal owner or the authorized representative of the legal property owner and am therefore the person to execute this ballot for the property shown above.

Date: _____, 2004

Property Owner Signature _____
Printed Name of Property Owner: R. Thomas Development, Inc.
Tokay Development, Inc.

DEADLINE FOR CITY CLERK TO RECEIVE COMPLETED BALLOTS IS May 5, 2004

CITY OF LODI
MILLSBRIDGE II ZONE 3 LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

IMPORTANT – OFFICIAL PROPERTY OWNER ASSESSMENT BALLOT

This ballot is for the use of the property owner of the parcel identified below, which parcel is located within the proposed Millsbridge II Zone 3, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1. Please advise the City Clerk at (209) 333-6702 if the name set forth below is incorrect or if you are no longer the owner of the parcel.

This ballot may be used to express either support for or opposition to the proposed assessment. In order to be counted, this ballot must be marked "Yes" or "No", dated and signed in ink below by an owner or, if the owner is not an individual, by an authorized representative of the owner. The ballot must then be delivered to the City Clerk at the Lodi City Hall, 221 West Pine Street, Lodi, CA 95241-1910, either by mail or in person, as follows:

Mail Delivery If by mail. Place the ballot in the enclosed, self-addressed stamped return envelope and place in the mail not later than one calendar week prior to May 5, 2004. The City Clerk cannot be responsible for late delivery of mailed ballots.

Personal Delivery If in person, to the City Clerk during regular office hours (8:00a.m. to 5:00 p.m.) at any time up to 5:00 on May 5, 2004 at the City Clerk's office at Lodi City Hall, 221 West Pine Street, Lodi, CA or at the protest hearing itself, scheduled for 7:00 p.m. on that date in the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street Lodi, CA

Whether delivered by mail or in person, the ballot must be received by the City Clerk prior to the close of the public hearing on May 5, 2004.

TO CAST THIS BALLOT, VOTE, SIGN IN INK, DATE AND RETURN THIS ENTIRE PAGE

OFFICIAL ASSESSMENT BALLOT

Assessor's Parcel Number
031-040-10

Maximum Assessment Amount
\$969.00

Total: \$969.00

Owner Name
Mazen M. Mardini
999 S. Fairmont Ave., Ste 115
Lodi, CA 95240-5100

(Upon subdivision 3 lots/dueFs at a Maximum Annual
Assessment Amount \$323.00 per lot/dueF)

Mark With an "X" in the appropriate blank

BALLOT MEASURE

| | |
|---|------------------------------|
| Shall the Lodi City Council annex Millsbridge II to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, form Zone 3 and levy a Maximum Assessment not to exceed the amount set forth above on the parcel(s) identified for street parkway trees amenities and park maintenance with annual maximum increases in future assessments in an amount equal to the greater of 5% or the percentage increase of the Local Consumer Price Index (CPI). CPI applied is for the San Francisco- Oakland- San Jose Area for All Urban Consumers, as developed by U. S. Bureau of Labor Statistics for a similar period of time? | YES <input type="checkbox"/> |
| | NO <input type="checkbox"/> |

I hereby certify under penalty of perjury that I am the legal owner or the authorized representative of the legal property owner and am therefore the person to execute this ballot for the property shown above.

Date: _____, 2004

Property Owner Signature _____
Printed Name of Property Owner: Mazen M. Mardini

DEADLINE FOR CITY CLERK TO RECEIVE COMPLETED BALLOTS IS May 5, 2004

EXHIBIT

A

CITY OF LODI
MILLSBRIDGE II ZONE 3 LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

IMPORTANT – OFFICIAL PROPERTY OWNER ASSESSMENT BALLOT

This ballot is for the use of the property owner of the parcel identified below, which parcel is located within the proposed Millsbridge II Zone 3, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1. Please advise the City Clerk at (209) 333-6702 if the name set forth below is incorrect or if you are no longer the owner of the parcel.

This ballot may be used to express either support for or opposition to the proposed assessment. In order to be counted, this ballot must be marked "Yes" or "No", dated and signed in ink below by an owner or, if the owner is not an individual, by an authorized representative of the owner. The ballot must then be delivered to the City Clerk at the Lodi City Hall, 221 West Pine Street, Lodi, CA 95241-1910, either by mail or in person, as follows:

Mail Delivery If by mail. Place the ballot in the enclosed, self-addressed stamped return envelope and place in the mail not later than one calendar week prior to May 5, 2004. The City Clerk cannot be responsible for late delivery of mailed ballots.

Personal Delivery If in person, to the City Clerk during regular office hours (8:00a.m. to 5:00 p.m.) at any time up to 5:00 on May 5, 2004 at the City Clerk's office at Lodi City Hall, 221 West Pine Street, Lodi, CA or at the protest hearing itself, scheduled for 7:00 p.m. on that date in the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street Lodi, CA

Whether delivered by mail or in person, the ballot must be received by the City Clerk prior to the close of the public hearing on May 5, 2004.

TO CAST THIS BALLOT, VOTE, SIGN IN INK, DATE AND RETURN THIS ENTIRE PAGE

OFFICIAL ASSESSMENT BALLOT

Assessor's Parcel Number
031-040-12*
031-040-14

Maximum Assessment Amount
\$646.00
\$323.00

Total: \$969.00

Owner Name
Ronald B. Thomas Trust
P. O. Box 1598
Lodi, CA 95241-1598

* (Upon subdivision 2 lots/dueFs at a Maximum Annual
Assessment Amount \$323.00 per lot/dueF)

Mark With an "X" in the appropriate blank

BALLOT MEASURE

| | |
|---|-----------|
| Shall the Lodi City Council annex Millsbridge II to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, form Zone 3 and levy a Maximum Assessment not to exceed the amount set forth above on the parcel(s) identified for street parkway trees amenities and park maintenance with annual maximum increases in future assessments in an amount equal to the greater of 5% or the percentage increase of the Local Consumer Price Index (CPI). CPI applied is for the San Francisco- Oakland- San Jose Area for All Urban Consumers, as developed by U. S. Bureau of Labor Statistics for a similar period of time? | YES _____ |
| | NO _____ |

I hereby certify under penalty of perjury that I am the legal owner or the authorized representative of the legal property owner and am therefore the person to execute this ballot for the property shown above.

Date: _____, 2004

Property Owner Signature _____

Printed Name of Property Owner: Ronald B. Thomas Trust

DEADLINE FOR CITY CLERK TO RECEIVE COMPLETED BALLOTS IS May 5, 2004

EXHIBIT

A

CITY OF LODI
MILLSBRIDGE II ZONE 3 LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

IMPORTANT – OFFICIAL PROPERTY OWNER ASSESSMENT BALLOT

This ballot is for the use of the property owner of the parcel identified below, which parcel is located within the proposed Millsbridge II Zone 3, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1. Please advise the City Clerk at (209) 333-6702 if the name set forth below is incorrect or if you are no longer the owner of the parcel.

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TO CAST THIS BALLOT, VOTE, SIGN IN INK, DATE AND RETURN THIS ENTIRE PAGE

OFFICIAL ASSESSMENT BALLOT

| | |
|---|--|
| Assessor's Parcel Number 031-040-38 | Maximum Assessment Amount \$646.00 |
| Total: \$646.00 | |
| Owner Name Darrell & Rhonda Sasaki 1806 Kettleman Lane, Ste H Lodi, CA 95242 | (Upon subdivision 2 lots/dueFs at a Maximum Annual Assessment Amount \$323.00 per lot/dueF) |

Mark With an "X" in the appropriate blank

BALLOT MEASURE

| | |
|---|---------------------------|
| Shall the Lodi City Council annex Millsbridge II to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, form Zone 3 and levy a Maximum Assessment not to exceed the amount set forth above on the parcel(s) identified for street parkway trees amenities and park maintenance with annual maximum increases in future assessments in an amount equal to the greater of 5% or the percentage increase of the Local Consumer Price Index (CPI). CPI applied is for the San Francisco- Oakland- San Jose Area for All Urban Consumers, as developed by U. S. Bureau of Labor Statistics for a similar period of time? | YES _____ NO _____ |
|---|---------------------------|

I hereby certify under penalty of perjury that I am the legal owner or the authorized representative of the legal property owner and am therefore the person to execute this ballot for the property shown above.

Date: _____, 2004 Property Owner Signature _____
Printed Name of Property Owner: Darrell & Rhonda Sasaki

DEADLINE FOR CITY CLERK TO RECEIVE COMPLETED BALLOTS IS May 5, 2004

EXHIBIT

A

CITY OF LODI
MILLSBRIDGE II ZONE 3 LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

IMPORTANT – OFFICIAL PROPERTY OWNER ASSESSMENT BALLOT

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TO CAST THIS BALLOT, VOTE, SIGN IN INK, DATE AND RETURN THIS ENTIRE PAGE

OFFICIAL ASSESSMENT BALLOT

| | |
|--|--|
| Assessor's Parcel Number 031-040-11 | Maximum Assessment Amount \$969.00 |
| Total: \$969.00 | |
| Owner Name Jeffrey/Carol Kirst Trust P. O. Box 1259 Woodbridge, CA 95258 | (Upon subdivision 3 lots/dueFs at a Maximum Annual Assessment Amount \$323.00 per lot/dueF) |

Mark With an "X" in the appropriate blank

BALLOT MEASURE

| | |
|---|---------------------------|
| Shall the Lodi City Council annex Millsbridge II to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, form Zone 3 and levy a Maximum Assessment not to exceed the amount set forth above on the parcel(s) identified for street parkway trees amenities and park maintenance with annual maximum increases in future assessments in an amount equal to the greater of 5% or the percentage increase of the Local Consumer Price Index (CPI). CPI applied is for the San Francisco- Oakland- San Jose Area for All Urban Consumers, as developed by U. S. Bureau of Labor Statistics for a similar period of time? | YES _____ NO _____ |
|---|---------------------------|

I hereby certify under penalty of perjury that I am the legal owner or the authorized representative of the legal property owner and am therefore the person to execute this ballot for the property shown above.

Date: _____, 2004 Property Owner Signature _____
Printed Name of Property Owner: Jeffery/Carol Kirst Trust

DEADLINE FOR CITY CLERK TO RECEIVE COMPLETED BALLOTS IS May 5, 2004

EXHIBIT

A

NOTICE OF PUBLIC HEARING AND BALLOT PROCEDURE

CITY OF LODI COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA MILLSBRIDGE II ZONE 3 AND ALMOND NORTH ZONE 4

LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

Pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, commencing with Section 22500, California Government Code Section 53753 and Section 4 of Article XIII D of the California Constitution, the Lodi City Council the "Council" has ordered that Notice be given as follows:

MILLSBRIDGE II ZONE 3

PUBLIC HEARING

1. On Wednesday, MAY 5, 2004, at 7:00 P.M. (or as soon thereafter as circumstances permit), in the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street, Lodi, California, the Council will hold a Public Protest Hearing respecting the proposed annexation of territory (Millsbridge II) to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 (District) when and where: (i) the Council will hear all protests to the annexation, the maintenance budget and levy of assessments, (ii) the Clerk will tabulate the Assessment Ballots received, and not withdrawn, in support of or opposition to the proposed annexation and assessment, weighting the Assessment Ballots by the amount of the proposed assessments to be levied upon the identified parcel for which each Assessment Ballot was submitted, and (iii) the Council will consider and finally act upon the annexation, the proposed budget and levy of assessments. Any person interested may file a written protest with the City Clerk, City Hall, 221 West Pine Street, Lodi, CA 95241-1910, at or before the above time set for the Public Hearing. Wally Sandelin, Public Works Department, Telephone (209) 333-6709 is the person designated by the City Council to answer inquiries regarding the protest proceedings.

INFORMATION ABOUT THE PROJECT

2. The public improvements to be maintained by the proposed District are street parkway trees, amenities and park maintenance.

INFORMATION ABOUT COSTS, ASSESSMENT AND DURATION OF ASSESSMENTS

3. The proposed budget for the fiscal year 2004/2005 and the maximum annual budget with the individual parcels and amounts of estimated assessments are shown in the Engineer's Report on file with the City Clerk, City Hall, 221 West Pine Street, Lodi, CA 95241-1910. The estimated costs and expenses to be assessed to the benefited parcels also include related management and administrative expenses. Interested persons are referred to the City Clerk's Office to examine the Engineer's Report for further information.

4. The total best estimate of the costs and expenses of the proposed maintenance of improvements and related assessment proceedings for the fiscal year 2004-2005 is the total sum of \$8,512.00. The maximum annual cost and expense is \$12,274.00. The amount of the assessment proposed for your parcel is set forth in the Official Property Owners Assessment Ballot which

accompanies this Notice. The reason that an assessment is proposed for your parcel is that the Engineer's Report recommends and the Council has preliminarily determined that the property is specially benefited by the maintenance of the improvements.

5. The Engineer's Report recommends that each of the parcels shall be assessed on the basis of the number of "Dwelling Unit Equivalent Factor (dueF)" assigned to the parcel, with one dueF unit representing the benefit equivalent of a single-family residence. The proposed fiscal year 2004-2005 annual assessment per dueF is \$224.00. The proposed maximum annual assessment for each dueF is \$323.00. **The assessment will continue indefinitely.**

The maximum assessment amount for each fiscal year shall be increased in an amount equal to the greater of: 1) five percent (5.0%), or 2) the percentage increase of the Local Consumer Price Index (CPI). Consumer Price Index applied is for the San Francisco-Oakland-San Jose County Area for All Urban Consumers, as developed by U.S. Bureau of Labor Statistics for a similar period of time. **(By law the City can only implement this increase if and when the actual cost of maintenance increases above the present cost.)**

ASSESSMENT BALLOT PROCEDURE AND 'MAJORITY PROTEST'

6. As provided by Section 4 of Article XIID of the California Constitution and Section 53753 of the California Government Code the Official Property Owners Assessment Ballot has been enclosed with this Notice, along with a self-addressed stamped returned envelope by which the Assessment Ballot may be returned to the Clerk. This is THE Official Assessment Ballot to be signed and returned to the City Clerk. It is not a sample ballot. You will not receive any other or additional Assessment Ballot. In order to make this Assessment Ballot count, in determining whether a "majority protest" exists, you must mark it (with an "X" indicating YES or NO), date it, sign it and submit it to the City Clerk no later than the close of the Public Hearing of Protests. If for any reason any Assessment Ballot has not been received by the City Clerk prior to the close of the Public Hearing of Protests, it will not be considered.

After the Assessment Ballot has been marked "Yes" or "No", dated and signed, it may be returned in the enclosed self-addressed stamped return envelope. This Assessment Ballot may be used by the owner or owners of any parcel to express either support of or opposition to the proposed assessment. Please see the Assessment Ballot for instructions respecting the alternative methods for submitting the completed Assessment Ballot either by mail (which may be done by using the enclosed return stamped envelope) or by personal delivery either prior to or at the time of the close of the Public Hearing of Protests. See the enclosed Assessment Ballot for further instructions.

7. Immediately following the close of the Public Hearing of Protests, whether on May 5, 2004, or at the conclusion of any continuation of said Hearing to a later date or to later dates the City Clerk or designee will open and tabulate the Assessment Ballots received prior to the close of the Public Hearing and the results will be announced; provided that, in the event that the Clerk requires an opportunity to determine (a) whether any Assessment Ballot has been properly signed by an owner or authorized representative of an owner or (b) any other matter respecting any Assessment Ballot and its proper treatment in the assessment ballot procedure, the City Clerk reserves entitlement to continue the matter of announcing results to provide the Clerk with such opportunity.

The Assessment Ballots are weighted according to the proportional financial obligation the affected property has to the total Assessment amount. (Simplified, this means one vote for each one dollar of assessment.)

In the event that Assessment Ballots in opposition exceed those in support, there will be a "majority protest" and the Council will be precluded from proceeding with the proposed assessment.

NEED FOR WRITTEN STATEMENT OF GROUNDS OF PROTEST

8. Property owners wishing to preserve the opportunity to file a lawsuit challenging the assessment, if levied, are required by law to file a written protest and to state therein all the specific grounds of objection. Any grounds of objection not stated in a written protest filed prior to the close of the public hearing of protests are deemed waived in any subsequent lawsuit and may not be raised in such lawsuit.

FURTHER INFORMATION OR QUESTIONS

9. If For further information, you may refer to the Resolution of Intention and the Engineer's Report, both on file with the City Clerk at 221 West Pine Street, Lodi, CA. Said Resolution of Intention and Engineer's Report are open to public inspection and are incorporated herein by reference. All interested parties are especially referred to the Engineer's Report for a full description of the improvements, the parcels of land deemed specially benefited by the improvements, the proposed assessments on all of the parcels of land being assessed, and the method of estimating the proportionality of benefit amount to the parcels, using the dueF concept.

If you have questions about the assessment, please contact Wally Sandelin, Public Works Department (209) 333-6709. If you have questions about the Assessment Ballot, please contact the City Clerk's office at (209) 333-6702.

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters and, if one is needed, it shall be the responsibility of the person needing one.

DATED: March 18, 2004

SUSAN J. BLACKSTON
City Clerk of the City of Lodi

RECEIVED

MAR 24 2004

City Clerk
City of Lodi

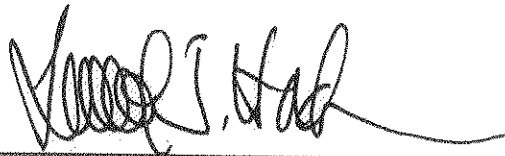
CITY OF LODI
Almond North Zone 4
Lodi Consolidated Landscape Maintenance
Assessment District No. 2003-1

CERTIFICATE OF MAILING NOTICE OF PUBLIC HEARING, ASSESSMENT BALLOT
PROCEDURE AND
PROPERTY OWNER ASSESSMENT BALLOT

I, Timothy J. Hachman, under penalty of perjury, certify as follows:

That for and on behalf of the Clerk of the City of Lodi, and on March 19, 2004, I caused to be mailed a Notice of Public Hearing and Assessment Ballot Procedure and Property Owner Assessment Ballot for the City of Lodi, Almond North Zone 4, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, postage prepaid, to all persons or their authorized representatives owning real property proposed to be assessed whose names and addresses appear on the last San Joaquin County equalized assessment roll of general taxes or as are known to said City Clerk, a copy of which Notice and Property Owner Assessment Ballot is hereto attached and marked Exhibit "A."

Executed on March 22, 2004.



TIMOTHY J. HACHMAN

CITY OF LODI

ALMOND NORTH ZONE 4 LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

IMPORTANT - OFFICIAL PROPERTY OWNER ASSESSMENT BALLOT

This ballot is for the use of the property owner of the parcel identified below, which parcel is located within the proposed Almond North Zone 4, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1. Please advise the City Clerk at (209) 333-6702 if the name set forth below is incorrect or if you are no longer the owner of the parcel.

This ballot may be used to express either support for or opposition to the proposed assessment. In order to be counted, this ballot must be marked "Yes" or "No", dated and signed in ink below by an owner or, if the owner is not an individual, by an authorized representative of the owner. The ballot must then be delivered to the City Clerk at the Lodi City Hall, 221 West Pine Street, Lodi, CA 95241-1910, either by mail or in person, as follows:

Mail Delivery If by mail. Place the ballot in the enclosed, self-addressed stamped return envelope and place in the mail not later than one calendar week prior to May 5, 2004. The City Clerk cannot be responsible for late delivery of mailed ballots.

Personal Delivery If in person, to the City Clerk during regular office hours (8:00a.m. to 5:00 p.m.) at any time up to 5:00 on May 5, 2004 at the City Clerk's office at Lodi City Hall, 221 West Pine Street, Lodi, CA or at the protest hearing itself, scheduled for 7:00 p.m. on that date in the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street Lodi, CA

Whether delivered by mail or in person, the ballot must be received by the City Clerk prior to the close of the public hearing on May 5, 2004.

TO CAST THIS BALLOT, VOTE, SIGN IN INK, DATE AND RETURN THIS ENTIRE PAGE

OFFICIAL ASSESSMENT BALLOT

Assessor's Parcel Number

062-060-14*

062-060-15

Maximum Assessment Amount

\$10,827.00

\$ 401.00

Total: \$11,228.00

Owner Name

Almond North, LLC

P. O. Box 1259

Woodbridge, CA 95258

* (Upon subdivision 27 lots/dues at a Maximum Annual Assessment Amount \$401.00 per lot/dues)

Mark With an "X" in the appropriate blank

BALLOT MEASURE

Shall the Lodi City Council annex Almond North to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, form Zone 4 and levy a Maximum Assessment to exceed the amount set forth above on the parcel(s) identified for street parkway trees amenities and park maintenance with annual maximum increases in future assessments in an amount equal to the greater of 5% the percentage increase of the Local Consumer Price Index (CPI). CPI applied is for the San Francisco- Oakland- San Jose Area for All Urban Consumers, as developed by U. S. Bureau of Labor Statistics for a similar period of time?

YES _____

NO _____

I hereby certify under penalty of perjury that I am the legal owner or the authorized representative of the legal property owner and am therefore the person to execute this ballot for the property shown above.

Date: _____, 2004

Property Owner Signature _____

Printed Name of Property Owner: Almond North, LLC

DEADLINE FOR CITY CLERK TO RECEIVE COMPLETED BALLOTS IS May 5, 2004

EXHIBIT

A

NOTICE OF PUBLIC HEARING AND BALLOT PROCEDURE

CITY OF LODI COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA MILLSBRIDGE II ZONE 3 AND ALMOND NORTH ZONE 4

LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1

Pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, commencing with Section 22500, California Government Code Section 53753 and Section 4 of Article XIIID of the California Constitution, the Lodi City Council the "Council" has ordered that Notice be given as follows:

ALMOND NORTH ZONE 4

PUBLIC HEARING

1. On Wednesday, MAY 5, 2004, at 7:00 P.M. (or as soon thereafter as circumstances permit), in the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street, Lodi, California, the Council will hold a Public Protest Hearing respecting the proposed annexation of territory (Almond North) to Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 (District) when and where: (i) the Council will hear all protests to the annexation, the maintenance budget and levy of assessments, (ii) the Clerk will tabulate the Assessment Ballots received, and not withdrawn, in support of or opposition to the proposed annexation and assessment, weighting the Assessment Ballots by the amount of the proposed assessments to be levied upon the identified parcel for which each Assessment Ballot was submitted, and (iii) the Council will consider and finally act upon the annexation, the proposed budget and levy of assessments. Any person interested may file a written protest with the City Clerk, City Hall, 221 West Pine Street, Lodi, CA 95241-1910, at or before the above time set for the Public Hearing. Wally Sandelin, Public Works Department, Telephone (209) 333-6709 is the person designated by the City Council to answer inquiries regarding the protest proceedings.

INFORMATION ABOUT THE PROJECT

2. The public improvements to be maintained by the proposed District are street parkway trees, amenities and park maintenance.

INFORMATION ABOUT COSTS, ASSESSMENT AND DURATION OF ASSESSMENTS

3. The proposed budget for the fiscal year 2004/2005 and the maximum annual budget with the individual parcels and amounts of estimated assessments are shown in the Engineer's Report on file with the City Clerk, City Hall, 221 West Pine Street, Lodi, CA 95241-1910. The estimated costs and expenses to be assessed to the benefited parcels also include related management and administrative expenses. Interested persons are referred to the City Clerk's Office to examine the Engineer's Report for further information.

4. The total best estimate of the costs and expenses of the proposed maintenance of improvements and related assessment proceedings for the fiscal year 2004-2005 is the total sum of \$8,512.00. The maximum annual cost and expense is \$11,228.00. The amount of the assessment proposed for your parcel is set forth in the Official Property Owners Assessment Ballot which

accompanies this Notice. The reason that an assessment is proposed for your parcel is that the Engineer's Report recommends and the Council has preliminary determined that the property is specially benefited by the maintenance of the improvements.

5. The Engineer's Report recommends that each of the parcels shall be assessed on the basis of the number of "Dwelling Unit Equivalent Factor (dueF)" assigned to the parcel, with one dueF unit representing the benefit equivalent of a single-family residence. The proposed fiscal year 2004-2005 annual assessment per dueF is \$304.00. The proposed maximum annual assessment for each dueF is \$401.00. **The assessment will continue indefinitely.**

The maximum assessment amount for each fiscal year shall be increased in an amount equal to the greater of: 1) five percent (5.0%), or 2) the percentage increase of the Local Consumer Price Index (CPI). Consumer Price Index applied is for the San Francisco-Oakland-San Jose County Area for All Urban Consumers, as developed by U.S. Bureau of Labor Statistics for a similar period of time. **(By law the City can only implement this increase if and when the actual cost of maintenance increases above the present cost.)**

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7. Immediately following the close of the Public Hearing of Protests, whether on May 5, 2004, or at the conclusion of any continuation of said Hearing to a later date or to later dates the City Clerk or designee will open and tabulate the Assessment Ballots received prior to the close of the Public Hearing and the results will be announced; provided that, in the event that the Clerk requires an opportunity to determine (a) whether any Assessment Ballot has been properly signed by an owner or authorized representative of an owner or (b) any other matter respecting any Assessment Ballot and its proper treatment in the assessment ballot procedure, the City Clerk reserves entitlement to continue the matter of announcing results to provide the Clerk with such opportunity.

The Assessment Ballots are weighted according to the proportional financial obligation the affected property has to the total Assessment amount. (Simplified, this means one vote for each one dollar of assessment.)

In the event that Assessment Ballots in opposition exceed those in support, there will be a "majority protest" and the Council will be precluded from proceeding with the proposed assessment.

NEED FOR WRITTEN STATEMENT OF GROUNDS OF PROTEST

8. Property owners wishing to preserve the opportunity to file a lawsuit challenging the assessment, if levied, are required by law to file a written protest and to state therein all the specific grounds of objection. Any grounds of objection not stated in a written protest filed prior to the close of the public hearing of protests are deemed waived in any subsequent lawsuit and may not be raised in such lawsuit.

FURTHER INFORMATION OR QUESTIONS

9. If For further information, you may refer to the Resolution of Intention and the Engineer's Report, both on file with the City Clerk at 221 West Pine Street, Lodi, CA. Said Resolution of Intention and Engineer's Report are open to public inspection and are incorporated herein by reference. All interested parties are especially referred to the Engineer's Report for a full description of the improvements, the parcels of land deemed specially benefited by the improvements, the proposed assessments on all of the parcels of land being assessed, and the method of estimating the proportionality of benefit amount to the parcels, using the dueF concept.

If you have questions about the assessment, please contact Wally Sandelin, Public Works Department (209) 333-6709. If you have questions about the Assessment Ballot, please contact the City Clerk's office at (209) 333-6702.

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters and, if one is needed, it shall be the responsibility of the person needing one.

DATED: March 18, 2004

SUSAN J. BLACKSTON
City Clerk of the City of Lodi